

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :: CRIMINAL ACTION

v. ::

ASKIA WASHINGTON :: NUMBER 13-171-2

**REPLY TO GOVERNMENT'S RESPONSE TO MOTION FOR DISCOVERY
PERTAINING TO CLAIM OF SELECTIVE ENFORCEMENT**

TO THE HONORABLE JOEL H. SLOMSKY, JUDGE OF THE SAID COURT:

Washington's concern with restricting discovery on his selective enforcement claim to just the investigations undertaken by the Philadelphia Field Division of the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), Pennsylvania is that the Court will not have a sufficient universe of stash house robbery investigations with which to make an informed decision on the existence of racial profiling. Washington takes the government's point that the discovery request should not be overbroad; hence his desire for discovery concerning stash house investigations in Pennsylvania, New Jersey and Delaware exclusively. Washington accepts the government's representation that field offices other than the Philadelphia Field Division conduct stash house robbery investigations in New Jersey and Delaware. With that said, ATF is a national agency, not a local one, where disparate local law enforcement agency may not coordinate with each other or maintain a centralized records repository. That there is an on-going investigation of similar stash house robbery investigations in New Jersey only underscores the need to examine the circumstances of the investigations in that district as it relates to the existence of racial profiling in our district. For these reasons, Washington asks the Court to deny the government's request to limit the discovery

disclosure only to investigations conducted by Philadelphia Field Division of the ATF.

Respectfully submitted,

/s/ Mark S. Greenberg

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